

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions and listings of claims in the application:

**LISTING OF CLAIMS:**

1.-6. Canceled.

7. (Currently Amended) [[A]] An isolated microorganism comprising an [[*Escherichia coli*-derived]] NADH-dependent D-lactate dehydrogenase (ldhA) gene obtained from *Escherichia coli* wherein said microorganism's FAD-dependent D-lactate dehydrogenase (dld) inherent activity is inactivated or decreased, wherein said microorganism's pyruvate formate-lyase (pfl) inherent activity is inactivated or decreased, and wherein said microorganism's activity is enhanced.

8.-14. Canceled.

15. (Currently Amended) The isolated microorganism according to claim 7, wherein said ldhA gene expresses the ldhA on the genome of the microorganism by using a promoter of a gene which controls expression of a protein involved in a glycolytic pathway, a nucleic acid biosynthesis pathway, or an amino acid biosynthesis pathway.

16. (Currently Amended) The isolated microorganism according to claim 15, wherein the microorganism is *Escherichia coli*.
17. Canceled.
18. (Currently Amended) The isolated microorganism of claim 15, wherein said microorganism is *Escherichia coli* and wherein said *ldhA* is expressed using a promoter of a gene obtained from *Escherichia coli* which controls expression of a protein involved in a glycolytic pathway, a nucleic acid biosynthesis pathway, or an amino acid biosynthesis pathway, instead of using a promoter of a gene encoding the *ldhA* obtained from *Escherichia coli*.
19. (Currently Amended) The isolated *Escherichia coli* according to claim 18, wherein said promoter that controls expression of the protein involved in the glycolytic pathway, the nucleic acid biosynthesis pathway, or the amino acid biosynthesis pathway is a promoter of a glyceraldehyde-3-phosphate dehydrogenase gene obtained from *Escherichia coli*.
- 20-40. Canceled.

41. (Currently Amended) The isolated microorganism according to claim 7, wherein said microorganism's malate dehydrogenase (mdh) inherent activity is inactivated or decreased and/or said microorganism's aspartate ammonia-lyase (aspA) inherent activity is inactivated or decreased.
42. (Currently Amended) The isolated microorganism according to claim 7, wherein the microorganism is a bacteria.
43. (Currently Amended) The isolated microorganism according to claim 41, wherein the microorganism is a bacteria.
44. (Currently Amended) The isolated microorganism according to claim 42, wherein the bacteria is *Escherichia coli*.
45. (Currently Amended) The isolated microorganism according to claim 43, wherein the bacteria is *Escherichia coli*.
46. (Withdrawn) A method for producing D-lactic acid, which comprises culturing the microorganism according to claim 7 in a liquid medium, wherein D-lactic acid is produced, accumulated, and isolated from the liquid medium.

47. (Withdrawn) A method for producing D-lactic acid, which comprises culturing the microorganism according to claim 41 in a liquid medium, wherein D-lactic acid is produced, accumulated, and isolated from the liquid medium.
48. (Withdrawn) A method for producing D-lactic acid, which comprises culturing the microorganism according to claim 42 in a liquid medium, wherein D-lactic acid is produced, accumulated, and isolated from the liquid medium.
49. (Withdrawn) A method for producing D-lactic acid, which comprises culturing the microorganism according to claim 43 in a liquid medium, wherein D-lactic acid is produced, accumulated, and isolated from the liquid medium.
50. (Withdrawn) A method for producing D-lactic acid, which comprises culturing the microorganism according to claim 44 in a liquid medium, wherein D-lactic acid is produced, accumulated, and isolated from the liquid medium.
51. (Withdrawn) A method for producing D-lactic acid, which comprises culturing the microorganism according to claim 45 in a liquid medium, wherein D-lactic acid is produced, accumulated, and isolated from the liquid medium.
52. (Withdrawn) The method for producing D-lactic acid according to claim 46, wherein culture is carried out on a medium to which two or more kinds of amino acids are added.

53. (Withdrawn) The method for producing D-lactic acid according to claim 47, wherein culture is carried out on a medium to which two or more kinds of amino acids are added.
54. (Withdrawn) The method for producing D-lactic acid according to claim 48, wherein culture is carried out on a medium to which two or more kinds of amino acids are added.
55. (Withdrawn) The method for producing D-lactic acid according to claim 49, wherein culture is carried out on a medium to which two or more kinds of amino acids are added.
56. (Withdrawn) The method for producing D-lactic acid according to claim 50, wherein culture is carried out on a medium to which two or more kinds of amino acids are added.
57. (Withdrawn) The method for producing D-lactic acid according to claim 51, wherein culture is carried out on a medium to which two or more kinds of amino acids are added.
58. (Withdrawn) The method for producing lactic acid according to claim 46, wherein culture is carried out under aerobic conditions.

- 59. (Withdrawn) The method for producing lactic acid according to claim 47, wherein culture is carried out under aerobic conditions.
- 60. (Withdrawn) The method for producing lactic acid according to claim 48, wherein culture is carried out under aerobic conditions.
- 61. (Withdrawn) The method for producing lactic acid according to claim 49, wherein culture is carried out under aerobic conditions.
- 62. (Withdrawn) The method for producing lactic acid according to claim 50, wherein culture is carried out under aerobic conditions.
- 63. (Withdrawn) The method for producing lactic acid according to claim 51, wherein culture is carried out under aerobic conditions.
- 64. (Withdrawn) The method for producing lactic acid according to claim 58, wherein the aerobic conditions enable supply of oxygen which satisfies a requirement of an oxygen-transfer coefficient  $K_{La}$  of not less than  $1\text{ h}^{-1}$  and not more than  $400\text{ h}^{-1}$  at normal pressure using water at a temperature of  $30^{\circ}\text{C}$ .

65. (Withdrawn) The method for producing lactic acid according to claim 59, wherein the aerobic conditions enable supply of oxygen which satisfies a requirement of an oxygen-transfer coefficient  $K_{La}$  of not less than  $1\text{ h}^{-1}$  and not more than  $400\text{ h}^{-1}$  at normal pressure using water at a temperature of  $30^{\circ}\text{C}$ .
66. (Withdrawn) The method for producing lactic acid according to claim 60, wherein the aerobic conditions enable supply of oxygen which satisfies a requirement of an oxygen-transfer coefficient  $K_{La}$  of not less than  $1\text{ h}^{-1}$  and not more than  $400\text{ h}^{-1}$  at normal pressure using water at a temperature of  $30^{\circ}\text{C}$ .
67. (Withdrawn) The method for producing lactic acid according to claim 61, wherein the aerobic conditions enable supply of oxygen which satisfies a requirement of an oxygen-transfer coefficient  $K_{La}$  of not less than  $1\text{ h}^{-1}$  and not more than  $400\text{ h}^{-1}$  at normal pressure using water at a temperature of  $30^{\circ}\text{C}$ .
68. (Withdrawn) The method for producing lactic acid according to claim 62, wherein the aerobic conditions enable supply of oxygen which satisfies a requirement of an oxygen-transfer coefficient  $K_{La}$  of not less than  $1\text{ h}^{-1}$  and not more than  $400\text{ h}^{-1}$  at normal pressure using water at a temperature of  $30^{\circ}\text{C}$ .

69. (Withdrawn) The method for producing lactic acid according to claim 63, wherein the aerobic conditions enable supply of oxygen which satisfies a requirement of an oxygen-transfer coefficient  $K_{La}$  of not less than  $1\text{ h}^{-1}$  and not more than  $400\text{ h}^{-1}$  at normal pressure using water at a temperature of  $30^{\circ}\text{C}$ .
70. (Withdrawn) The method for producing lactic acid according to claim 46, wherein the culture pH is 6 to 8.
71. (Withdrawn) The method for producing lactic acid according to claim 47, wherein the culture pH is 6 to 8.
72. (Withdrawn) The method for producing lactic acid according to claim 48, wherein the culture pH is 6 to 8.
73. (Withdrawn) The method for producing lactic acid according to claim 49, wherein the culture pH is 6 to 8.
74. (Withdrawn) The method for producing lactic acid according to claim 50, wherein the culture pH is 6 to 8.
75. (Withdrawn) The method for producing lactic acid according to claim 51, wherein the culture pH is 6 to 8.